

NAYS—13.

Collins,	Getzendaner,	Matlock,
Cooper,	Johnston of Shelby,	Perry,
Davis,	Jones,	Randolph,
Evans,	Martin,	Terrell.
Farrar,		

Senator Chesley moved to adjourn till to-morrow morning at 10 o'clock.

Lost by the following vote:

YEAS—10.

Chesley,	Houston,	Patton,
Farrar,	Johnston of Shelby,	Perry,
Fowler,	Jones,	Stratton.
Getzendaner,		

NAYS—18.

Buchanan,	Gibbs,	Peacock,
Collins,	Gooch,	Pfeuffer,
Cooper,	Harris,	Randolph,
Davis,	Johnson of Collin,	Shannon,
Evans,	Martin,	Terrell.
Fleming,	Matlock,	Traylor.

Senator Chesley moved to amend by striking out "1883" and inserting "1884."

Lost.

Senator Chesley's amendment, under reconsideration, was adopted by the following vote:

YEAS—14.

Buchanan,	Fleming,	Pfeuffer,
Chesley,	Fowler,	Randolph,
Collins,	Gibbs,	Stratton,
Evans,	Gooch,	Traylor.
Farrar,	Harris,	

NAYS—12.

Cooper,	Johnson of Collin,	Peacock,
Davis,	Johnston of Shelby,	Perry,
Getzendaner,	Martin,	Shannon,
Houston,	Matlock,	Terrell.

Senator Martin moved to adjourn until to-morrow morning at 10 o'clock. Upon which the vote stood as follows:

YEAS—14.

Chesley,	Harris,	Perry,
Collins,	Houston,	Randolph,
Farrar,	Johnston of Shelby,	Shannon,
Fowler,	Martin,	Stratton.
Getzendaner,	Patton,	

NAYS—14.

Buchanan,	Gibbs,	Peacock,
Cooper,	Gooch,	Pfeuffer,
Davis,	Johnson of Collin,	Terrell,
Evans,	Jones,	Traylor.
Fleming,	Matlock,	

There being a tie vote, the President voted "no," and the Senate refused to adjourn.

Senator Johnston of Shelby offered the following substitute:

SECTION 3. There shall be annually levied and collected an ad valorem tax of not more than twenty cents on the one hundred dollars valuation on all property in the State subject to taxation, and a poll tax of one dollar on each male inhabitant in this State between the ages of twenty-one and sixty years, for the benefit of the public free schools, and there shall be annually set apart, for the same purpose, one-fourth of the State revenue derived from occupation taxes.

Lost by the following vote:

YEAS—11.

Collins,	Harris,	Patton,
Fleming,	Houston,	Pfeuffer,
Fowler,	Johnston of Shelby,	Randolph,
Gibbs,	Martin,	

NAYS—17.

Buchanan,	Getzendaner,	Perry,
Chesley,	Gooch,	Shannon,
Cooper,	Johnson of Collin,	Stratton,
Davis,	Jones,	Terrell,
Evans,	Matlock,	Traylor.
Farrar,	Peacock,	

On motion of Senator Chesley, the Senate adjourned till 10 o'clock a. m. to-morrow, by the following vote:

YEAS—17.

Chesley,	Gibbs,	Patton,
Collins,	Harris,	Perry,
Farrar,	Houston,	Pfeuffer,
Fleming,	Johnston of Shelby,	Randolph,
Fowler,	Jones,	Stratton.
Getzendaner,	Martin,	

NAYS—10.

Buchanan,	Gooch,	Shannon,
Cooper,	Johnson of Collin,	Terrell,
Davis,	Matlock,	Traylor.
Evans,	Peacock,	

THIRTY-SEVENTH DAY.

SENATE CHAMBER,)
AUSTIN, TEXAS, February 22, 1883. }

Senate met pursuant to adjournment.

President in the chair.

Roll called. Quorum present.

Prayer by the Rev. Dr. Poindexter, Chaplain of the House.

Senator Buchanan moved to dispense with reading of the journal of yesterday.

Motion prevailed, journal amended, and, as amended, was adopted.

Senator Matlock offered a petition from J. W. Chowning and other citizens of Wilbarger county, asking for the passage of a bill granting relief to certain persons residing upon State school lands.

Referred to Committee on Public Lands.

Senator Matlock, chairman of Committee on Public Lands, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 22, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Public Land, to whom was referred Senate bill No. 114, entitled "An act to amend 'an act to set aside the public lands embraced within the territorial limits of the county of Greer to educational purposes and for the payment of the public debt', approved February 25, 1879," have carefully examined the same, and instruct me to report the same back with the recommendation that it lie on the table, and that the accompanying substitute for said bill do pass.

All of which is respectfully submitted.

MATLOCK, Chairman.

Bill read first time.

Senator Matlock introduced a bill entitled "An act for the relief of J. W. Chowning and other citizens of Wilbarger county."

Referred to Committee on Public Lands.

Senator Traylor introduced a bill to be entitled "An act to amend an act to further provide for the supervision and management of the construction of the new State capital building, and to make an appropriation therefor, approved May 5, 1882."

Referred to Committee on Finance.

Senator Buchanan introduced a bill to be entitled "An act to establish and maintain a system of normal institutes for the better qualification of teachers."

Referred to Committee on Education.

Senator Stratton, by request, introduced a joint resolution instructing the Attorney-General to bring suit to cancel leases and charters of all railroads in this State, where the same are in violation of law, and where there is a failure to keep a general office in this State, etc.

Referred to Committee on Internal Improvements.

Senator Pfenffer introduced a joint resolution to amend article 7 of the Constitution of the State of Texas, by adding another section.

Referred to Committee on Constitutional Amendments.

Senator Johnson of Collin introduced a bill entitled "An act to amend article 697 of the Penal Code of the State of Texas."

Referred to Judiciary Committee No. 2.

On motion of Senator Johnson of Collin, Senator Kleberg was excused for to-day, on account of sickness.

The President laid before the Senate Senate bill No. 269, "An act to provide for the classification, sale and lease of the lands heretofore or hereafter surveyed and set apart for the benefit of the common school fund," special order for this hour.

Senator Gibbs moved to postpone pending special order till to-morrow morning after the morning call.

Senator Davis moved to amend by postponing till the unfinished business shall be disposed of.

Amendment accepted, and motion as amended, adopted by the following vote:

YEAS—14.

Buchanan,	Gooch,	Perry,
Davis,	Johnson of Collin,	Shannon,
Evans,	Johnston of Shelby,	Terrell,
Getzendaner,	Matlock,	Taylor.
Gibbs,	Peacock,	

NAYS—13.

Chesley,	Harris,	Patton,
Collins,	Houston,	Pfeuffer,
Farrar,	Jones,	Randolph,
Fleming,	Martin,	Stratton.
Fowler,		

Senate joint resolution No. 2, being the unfinished business of yesterday, amending section 3, article 7 of the Constitution, with reference to the school tax, was taken up in regular order.

Senator Fowler offered the following amendment:

Amend by adding:

"Provided, That when the aforesaid school tax, with the school revenue from all other sources, shall, without regard to local taxation, not be adequate for the support of an efficient system of public free schools for six months in the year, the rate of taxation shall be increased to an extent sufficient to support said system six months in the year."

Senator Buchanan offered the following amendment to the amendment of Senator Fowler:

Add to the amendment the following words: "Not to exceed 20 cents on the \$100 valuation in any one year."

Accepted.

Senator Matlock moved to amend by striking out from bill as amended "1883."

Senator Chesley moved to amend amendment by inserting "1884."

Accepted, and amendment, as amended, adopted by the following vote:

YEAS—25.

Buchanan,	Getzendaner,	Patton,
Chesley,	Gibbs,	Peacock,
Collins,	Harris,	Perry,
Cooper,	Houston,	Pfeuffer,
Davis,	Johnston of Shelby,	Randolph,
Evans,	Jones,	Shannon,
Farrar,	Martin,	Stratton,
Fleming,	Matlock,	Taylor.
Fowler,		

NAYS—3.

Gooch,	Johnson of Collin,	Terrell.
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Senator Matlock moved the previous question.

Motion seconded and main question ordered.

The bill was ordered engrossed, by the following vote:

YEAS—26.

Buchanan,	Getzendaner,	Patton,
Chesley,	Gibbs,	Peacock,
Collins,	Gooch,	Perry,
Cooper,	Harris,	Pfeuffer,
Davis,	Houston,	Randolph,
Evans,	Johnston of Shelby,	Shannon,
Farrar,	Jones,	Stratton,
Fleming,	Martin,	Taylor.
Fowler,	Matlock,	

NAYS—2.

Johnson of Collin,	Terrell.
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Senator Terrell assigns the following reasons for voting "no" on the engrossment of the resolution:

"I vote 'no,' because I believe State aid to public free schools should be fixed in the Constitution at a definite sum, and not left to fluctuate between 15 and 20 cents, as the joint resolution proposes, according to legislative caprice. A tax of 15 cents levied by the State will give, if economically expended, six months instruction each year to all children in Texas of a proper age. That I would vote for. To permit a levy of 20 cents is to encourage extravagance, instead of securing economy in public school management. If 15 cents is not enough, let the rest be raised by local taxation on the property holders, who should alone vote it and pay it.

A State tax of 20 cents for public schools lacks only one-third of being as much as is needed to defray all the expenses of the whole State government, and its payment can be enforced by the sale of every citizen's homestead who neglects to pay it. I think that tax is too much. Nearly one-half the Senate have shown by more than one test vote, that they agree with me in these views, and I regard the interests as being too vital for compromise. No State imposes so high a State tax in the whole Union for public schools, and I vote against authority to levy it here in Texas.

A. W. TERRELL.

Senator Johnson of Collin assigns the following reason for voting "no" on engrossment of Senate joint resolution amending section 3:

"I vote 'no.' The effect of the joint resolution is to permit a tax by the State for common free schools of twenty cents on the hundred dollars, in the discretion of the Legislature. This, I think, is more than is required to support each year a five months' school, and this, I think, is as long a period as the laboring class of this State, outside of the towns, can spare their children from necessary labor in any one year. I will not vote to put a mortgage for so large an amount on the homesteads of all the men and women in Texas, that is done by this resolution, a thing which the husband and wife themselves cannot do. Under this tax, which I think extravagant and calculated to encourage extravagance, the homestead itself can be sold in order to educate other people's idle children, when the working class cannot enjoy it. It amounts to two-thirds of the State tax, and is wrong.

JOHNSON of Collin.

Senator Cooper, chairman of Committee on Enrolled Bills, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, February 22, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate concurrent resolution No. 155, being "Resolution requesting the Senators and Representatives from Texas to aid in the passage of an act to equip and support an agricultural experiment station in each State, under the control of the State Agricultural and Mechanical college," and find the same correctly enrolled, and have this day at 10:30 o'clock a. m., presented the same to the Governor for his approval.

All of which is respectfully submitted.

COOPER, Chairman.

COMMITTEE ROOM,
AUSTIN, February 22, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared substitute Senate bill No. 14, being "An act to provide for

the payment of certain debts of the State out of that half of the proceeds of sales of public lands not belonging to the common school fund," and find the same correctly enrolled, and have this day, at 10:30 o'clock a. m., presented the same to the Governor for his approval.

COOPER, Chairman.

Senator Randolph, chairman of Committee on Private Land Claims, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 22, 1883.

Hon. Milton Martin, President of the Senate:

Your Committee on Private Land Claims, to whom was referred Senate bill No. 286, entitled "An act to authorize the Commissioner of the General Land Office to issue patents now suspended for want of reports of county clerks," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass,

All of which is respectfully submitted.

RANDOLPH, Chairman.

A message was received from the House announcing the passage by that body of substitute House bills Nos. 19, 125, 148, 270 and 274, entitled "An act to amend articles 1678, 1696, 1698, 1699, 1700, 1703, 1707, 1708 and 1709 of the Revised Civil Statutes of the State of Texas."

Referred by the President to Judiciary Committee No. 1. President laid before Senate, Senate bill No. 269, land bill, which was special order.

Senator Gibbs made a point of order that two other joint resolutions, referring to sections 4 and 6 of the same article, were still before the Senate.

Point of order sustained.

Resolution amending section 4 read.

Senator Gibbs offered the following amendment:

Amend by adding, "The State shall be and is hereby made the guarantor of all loans of school money made by State authority."

Senator Davis offered the following substitute to Senator Gibbs' amendment:

"The payment of which shall be guaranteed by the State."

Accepted.

Amendment, as substituted, adopted.

Senator Fleming moved to amend by striking out "securities," and inserting "security."

Lost.

Senator Gooch offered the following amendment:

Strike out the words "permanent and."

Adopted, and resolution ordered engrossed.

Senate joint resolution to amend section 6 of the same article was read.

Senator Gibbs offered the following amendment:

Add as follows: "and the county making the loan shall guarantee its payment."

Adopted by the following vote:

YEAS—16.

Buchanan,	Gooch,	Peacock,
Chesley,	Harris,	Randolph,
Collins,	Houston,	Shannon,
Fleming,	Johnson of Collin,	Stratton,
Fowler,	Patton,	Terrell,
Gibbs,		

NAYS—11.

Davis,	Johnson of Shelby,	Perry,
Evans,	Jones,	Pfeuffer,
Farrar,	Martin,	Traylor,
Getzendaner,	Matlock,	

Senator Traylor offered the following amendment:

Amend by striking out the words "permanent and."

Adopted.

Senator Davis offered the following amendment:

Strike out all after the word "invested" and add "under the direction of the commissioners' court."

Withdrawn.

Senator Matlock moved the previous question on the engrossment of the resolution.

Motion seconded, and main question ordered by the following vote:

YEAS—25.

Buchanan,	Gibbs,	Patton,
Chesley,	Gooch,	Perry,
Collins,	Houston,	Pfeuffer,
Davis,	Johnson of Collin,	Randolph,
Evans,	Johnson of Shelby,	Shannon,
Farrar,	Jones,	Stratton,
Fleming,	Martin,	Terrell,
Fowler,	Matlock,	Traylor,
Getzendaner,		

NAYS—2.

Harris,

Peacock.

The resolution was ordered engrossed.

Senator Randolph moved that out of respect to the memory of George Washington, in commemoration of whose virtues this day is set apart as a national holiday, the Senate stand adjourned until to-morrow morning at 10 o'clock.

Adopted, and the Senate adjourned till that hour, by the following vote:

YEAS—20.

Buchanan,	Getzendaner,	Matlock,
Chesley,	Gibbs,	Patton,
Collins,	Gooch,	Pfeuffer,
Cooper,	Harris,	Randolph,
Farrar,	Houston,	Shannon,
Fleming,	Johnson of Shelby,	Stratton,
Fowler,	Martin,	

NAYS—8.

Davis,	Jones,	Terrell,
Evans,	Peacock,	Traylor,
Johnson of Collin,	Perry,	

THIRTY-EIGHTH DAY.

SENATE CHAMBER,
AUSTIN, February 23, 1883.

The Senate met pursuant to adjournment.

The President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain, Rev. Dr. Smoot.

On motion of Senator Peacock, the reading of the journal of yesterday was dispensed with, and the same adopted.

Senator Traylor presented a petition from the commissioners' court of Palo Pinto county, asking to have the Legislature donate the State tax for 1883 and 1884 to said county, to liquidate the court house and jail tax.

Referred to Committee on State Affairs.

Senator Terrell presented a petition from citizens of Burnet county, in favor of prohibition of the importation, sale or manufacture, in Texas, of intoxicating liquors.

Referred to Committee on Constitutional Amendments.

Also, a petition from citizens of Burnet county for a constitutional amendment, prohibiting the importation, sale or manufacture of intoxicating liquors in Texas as a beverage.

Referred to Committee on Constitutional Amendments.

Also, a petition of citizens of Austin, for amendment of city charter so as to permit the issuance of bonds for sewer, street and bridge purposes.

Referred to Judiciary Committee No. 1.

Senator Johnston of Shelby, by request, presented a petition from T. J. Tandoling, asking amendments to the stock law.

Referred to Committee on Agricultural Affairs.

Senator Shannon, chairman of Committee on Internal Improvements, submitted the following report: